

THE HONORABLE BARBARA J. ROTHSTEIN

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AT SEATTLE
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01-MD-01407-ORD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

IN RE: Phenylpropanolamine (PPA)
Products Liability Litigation

This document relates to all actions : No. MDL 1407
:
: ORDER MODIFYING THE AMENDED
: CONFIDENTIALITY ORDER ENTERED
: ON FEBRUARY 19, 2004
:

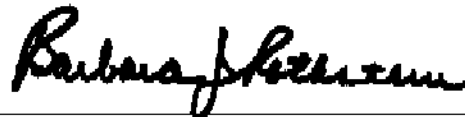
This matter is before the Court upon Chattem, Inc.'s Motion to Vacate the Amended Confidentiality Order entered on February 19, 2004. Having heard argument of counsel and reviewed the Class Action Settlement Agreement between Chattem and Class Counsel on behalf of Class Representatives in *In Re: Phenylpropanolamine (PPA) Products Liability Litigation* ("Settlement Agreement") and the Court's order entered in *Park v. Chattem, Inc., et al.*, No. C02-0755, granting (1) Conditional Certification of Settlement Class; (2) Preliminary Approval of Class Settlement; and (3) Approval of Form and Procedures of Class Notice ("Preliminary Approval Order"), and the entire record, the Court finds as follows:

In order for Chattem to comply with the Court's Preliminary Approval Order, it must make public the Chattem Case Scoring System and Matrix that is the basis for the proposed Class Action Settlement Agreement between Chattem and Class Counsel on behalf of the Class Representatives (the "Chattem Matrix"). Chattem must make public the Chattem Matrix in order to send notice to known potential class members by United States Mail on May 21, 2004.

ACCORDINGLY, IT IS HEREBY ORDERED THAT: the amended Confidentiality Order dated February 18, 2004 and entered on February 19, 2004, is hereby modified as of May 21, 2004 at 5:00 p.m. (PDT), to allow Chattem to distribute to potential class members and their counsel the Chattem Matrix, a true and correct copy of which is annexed hereto. The Chattem Matrix shall be a public document as of May 21, 2004 at 5:00 p.m. (PDT).

IT IS SO ORDERED.

Dated: May 21, 2004.

A handwritten signature in black ink, appearing to read "Barbara Jacobs Rothstein", written in a cursive style.

The Honorable Barbara Jacobs Rothstein